

FIFTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 20, 1917.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

Committee Reports.

See Appendix.

Morning call concluded.

House Bill No. 678.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 678, A bill to be entitled "An Act to amend Article 2771, Title 48, Chapter 12, of the Revised Civil Statutes of 1911 of the State of Texas; providing for the selection of treasurer of the school fund in an independent district of more than one hundred and fifty scholastics, whether it be a city which has assumed control of the school within its limits or a corporation for school purposes only; providing for bond to be executed by the treasurer, and fixing the conditions of said bond."

The committee report that the bill be not printed was adopted.

Senator Buchanan of Scurry offered the following amendments, which were read and adopted, being voted on separately:

(1) Amend H. B. No. 678 by adding thereto another section as follows:

Section 2. The fact that there is now no law adequately providing for the bonding of treasurers or depositories of independent school districts, and the further fact of the near approach of the end of this session of the Legislature and the crowded condition of the calendar, creates an emergency and imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days, and same is hereby suspended, and this law shall take effect and be in force from and after its passage, and it is so enacted."

(2) Amend H. B. No. 678 by adding the following after the word "bond" at the end of the caption: "and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 678 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Clark.	Lattimore.
Dean.	McNealus.
Decherd.	Robbins.
Gibson.	Strickland.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Caldwell.	Page.
Dayton.	Parr.
Floyd.	Smith.
Johnston of Harris.	Suiter.
McCollum.	

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed finally.

House Bill No. 792.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 792, A bill to be entitled "An Act creating and incorporating the Karnes City Independent School District in Karnes County, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 792 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Caldwell.	Par.
Decherd.	Smith.
Johnston of Harris.	Suiter.

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed finally.

Senator Bailey moved to reconsider the vote by which House Bill No. 792 was passed and table the motion to reconsider.

The motion to table prevailed.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House requests the Senate to return Senate Bill No. 489 for a roll call on final passage.

Refused to pass to third reading Senate Bill No. 287, the co-insurance law.

Adopted Free Conference Committee report on Senate Bill No. 247.

Concurs in Senate amendments to House Bill No. 595.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 432, "An Act to amend Article 6292, Title 106, of the Revised Civil Statutes of the State of Texas, 1911, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House Bill No. 526.

Passed:

S. B. No. 489, A bill to be entitled "An Act creating and incorporating the Mercedes Independent School District in Hidalgo County, Texas, etc., and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act to appropriate out of the general revenue not heretofore appropriated the sum of twenty-one thousand eight hundred and thirty-two and eighty hundredths dollars (\$21,832.80) or so much thereof as may be necessary to defray the expenses of the Live Stock Sanitary Commission of Texas in carrying out the provisions of C. S. S. B. No. 108, providing for the tick and sheep scab eradication for the fiscal year ending August 31, 1917, and declaring an emergency."

H. C. R. No. 25, relating to employment by the Superintendent of Public Buildings and Grounds of persons who protected the State Treasury.

S. B. No. 494, A bill to be entitled "An Act creating the San Diego Inde-

pendent County Line School District of Duval County.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Senate Bill No. 489—Returned to House.

Senator Parr made the following motion in writing:

I move the Senate grant the House request to return Senate Bill No. 489 for roll call.

PARR.

The motion was read and adopted.

Bills Signed.

The Chair (Lieutenant Governor Hobby) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 748, A bill to be entitled "An Act to create the Kelton Independent School District of Wheeler County, Texas, and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act creating the Newton Independent School District, etc., and declaring an emergency."

H. B. No. 801, A bill to be entitled "An Act to amend Section 13, Chapter 35, Acts of the Regular Session of the Twenty-fifth Legislature, being House Bill No. 83, and as amended by Senate Bill No. 195, Acts of the Regular Session of the Twenty-ninth Legislature, creating a more efficient road system for Rains County, etc., and declaring an emergency."

H. B. No. 681, A bill to be entitled "An Act to authorize the city council, board of aldermen, or other governing body of any city or town in this State, whether operating under special charter or the general law, to appropriate at the end of each fiscal year, so much of the net revenues of any waterworks system or other public utility system service or enterprise owned by said city or town as such body shall deem to the best interest of said city or town, to the payment of the sinking fund and interest on the bonded indebtedness of such system, service or enterprise; such sum so appropriated to be used

for no other purpose; providing for the levy of a tax for raising such sinking fund and interest where such appropriation is insufficient as herein provided, and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act to permit S. S. Perry of Brazoria County, Texas, to bring suit against the State of Texas for an alleged damage growing out of an alleged breach of contract entered into by and between the said S. S. Perry and the Board of Prison Commissioners September 20, 1911."

H. B. No. 786, A bill to be entitled "An Act to create a special fish law for Wood County, exempting said general fish and game laws of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 813, A bill to be entitled "An Act creating Smiley Independent School District in Gonzales County, Texas, etc., and declaring an emergency."

H. B. No. 700, A bill to be entitled "An Act creating the Docum and Miller Common County Line School District, containing territory in Erath and Comanche Counties, Texas, including the territory of the school districts known as Miller and Docum Common School Districts of Comanche and Erath Counties, respectively; placing said common county line school districts under the jurisdiction of Comanche County, to be known as Common School District No. 110 of said county; a board of trustees thereof; vesting said district and board of trustees with all the rights, powers, privileges and duties conferred and imposed on common school districts and boards of trustees thereof, etc., and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act to create a more efficient road system for Trinity County, Texas, etc., and declaring an emergency."

H. B. No. 820, A bill to be entitled "An Act creating a new road law for Bowie County."

H. B. No. 451, A bill to be entitled "An Act to provide for the purchase of a site for, and for the establishment, location and construction of, an asylum in South Texas for the care, treatment and support of negro insane persons, and to make an ap-

propriation thereof, and declaring an emergency."

H. B. No. 790, A bill to be entitled "An Act creating the Stanton Independent School District of Martin County, Texas, by adding the present Stanton Independent School District more territory, etc., and declaring an emergency."

H. B. No. 826, A bill to be entitled "An Act creating the Pandora Independent School District in Willson County, Texas, etc., and declaring an emergency."

H. B. No. 694, A bill to be entitled "An Act to aid the city of Corpus Christi in elevating and raising a portion of the said city and building a sea wall or breakwater so as to protect it from calamitous overflows, by donating to it the ad valorem taxes collected on property and from persons in Nueces County for a period of fifteen years, and to provide a penalty for their misapplication, and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals, so as to include among the counties exempted from the provisions of Articles 7256 to 7304, inclusive, the counties of Coke, Irion, Reagan, Sterling Tom Green and Upton."

S. B. No. 416, A bill to be entitled "An Act to aid the Garrison Independent School District in Nacogdoches County in the rebuilding and refurbishing permanent public school buildings destroyed by fire November 17, 1916, by donating and granting to it the State ad valorem and a part of the poll taxes and occupation taxes collected on property and indebtedness of the Aspermont Independent School District for a period of five years, and providing for the manner of collecting, disbursing and receipting for said money, and providing for a penalty for their misapplication, and declaring an emergency."

S. B. No. 489, A bill to be entitled "An Act creating and incorporating the Mercedes Independent School District in Hidalgo County, Texas, etc., and declaring an emergency."

House Bill No. 37.

(Pending.)

Action recurred upon pending business,

H. B. No. 37, A bill to be entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the licensing, registration and identification of motor vehicles and for the payment of registration therefor; to provide for the licensing of persons operating motor vehicles, etc."

The question being upon the pending amendments offered by Senator Caldwell, and the same were read and adopted seriatim.

Senator Bee offered the following amendment, which was read and adopted:

(29) Amend the bill by striking out the word "great" before the word "care" in Section 21 of the bill as printed in the Senate Journal, page 994, and insert in lieu thereof the word "reasonable."

Senator Lattimore offered the following amendment, which was read and adopted:

(30) Amend H. B. No. 37, Section 21, by adding after the word "hour" in line 22, printed House Bill, the following: "in cities of less than 40,000 population nor at a greater rate of speed than ten miles per hour in the business districts of cities of more than forty thousand."

Senator Hudspeth offered the following amendment, which was read and adopted.

(31) Amend the bill, page 994, Section 21, Senate Journal, by striking out "thirty miles per hour" wherever it occurs and insert in lieu thereof "twenty-five miles per hour."

The bill was read second time and passed to its third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 37 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Clark.
Bailey.	Dayton.
Bee.	Dean.
Buchanan of Scurry.	Decherd.
Caldwell.	Gibson.

Hall.	McCollum.
Henderson.	McNealus.
Hudspeth.	Page.
Johnson of Hall.	Smith.
Johnston of Harris.	Strickland.
King.	Suiter.
Lattimore.	Westbrook.

Nays—5.

Buchanan of Bell.	Parr.
Harley.	Robbins.
Hopkins.	

Absent.

Floyd.	Woodward.
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The bill was laid before the Senate, read third time, and on motion of Senator Lattimore, was passed by the following vote:

Yeas—21.

Bee.	Johnson of Hall
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Smith.
Gibson.	Strickland.
Harley.	Westbrook.
Henderson.	Woodward.
Hudspeth.	

Nays—9.

Alderdice.	King.
Bailey.	Parr.
Buchanan of Bell.	Robbins.
Hall.	Suiter.
Hopkins.	

Absent.

Floyd.

Senator Lattimore moved to reconsider the vote by which House Bill No. 37 was passed and table the motion to reconsider.

The motion to table prevailed.

Executive Session.

The Chair here announced that the hour, 10:30 o'clock a. m., had arrived, which time had been previously designated by the Senate to sit in executive session to consider the appointments by the Governor, submitted on yesterday. Accordingly the Chamber was cleared of all those not entitled to remain and the Senate proceeded to executive session.

In executive session the following confirmation was made:

Hon. C. E. Kelley of El Paso, to be a member of the Board of Regents of the State University.

In the Senate.

(Lieutenant Governor Hobby in the chair.)

House Bill No. 752.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 752, A bill to be entitled "An Act to validate all sales of public free school land, University land and asylum land which were made after forfeiture for nonpayment of interest but prior to entry of such forfeiture on the account kept with the purchaser and all sales of said land which were made upon applications filed prior to the cancellation of a former sale for the failure of the owner to reside on the land, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 752 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Decherd.	Smith.
Floyd.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Absent.

Dean.	McCollum.
Gibson.	Robbins.
King.	Strickland.

The bill was laid before the Senate, read third time, and on motion of Sen-

ator Johnson of Hall, was passed finally.

House Bill No. 504.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 504, A bill to be entitled "An Act requiring every repair shop of whatsoever kind, or garage, within the State engaged in the repairing, rebuilding or repainting of automobiles of every description, to keep a register containing a complete and accurate description of every car upon which work is performed; providing what the register shall contain and how it shall be kept; providing a punishment for failure to comply, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend House Bill No. 504 by striking out the words "transaction performed," in the next to the last line of Section 1 of the bill, and inserting in lieu thereof the following: "material repair or change in or."

The bill was read second time and passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 504 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Bailey.	Gibson.
McCollum.	Dean.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed finally.

Senate Bill No. 151.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

S. B. No. 151, A bill to be entitled "An Act to amend Article 5490 of the Revised Statutes of 1911, relating to the subject of landlord's liens upon residences, store houses or other buildings, prescribing the manner in which such liens shall be fixed and preserved."

The bill was laid before the Senate, read third time and, on motion of Senator Johnston of Harris, was passed finally.

House Bill No. 151.

Senator Caldwell asked for unanimous consent to take up for consideration House Bill No. 151.

There was objection.

Senator Caldwell moved that the regular order of business be suspended, and the Senate take up, out of its order, House Bill No. 151.

The motion prevailed by the following vote:

Yeas—19.

Alderdice.	Henderson.
Bee.	King.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Robbins.
Clark.	Strickland.
Dean.	Suiter.
Decherd.	Westbrook.
Hall.	Woodward.
Harley.	

Nays—7.

Floyd.	Lattimore.
Hopkins.	McNealus.
Johnson of Hall.	Smith.
Johnston of Harris.	

Present—Not Voting:

Dayton.

Absent.

Bailey.	Hudspeth.
Gibson.	McCollum.

The Chair laid before the Senate on second reading:

H. B. No. 151, A bill to be entitled "An Act to make fraudulent advertising a penal offense, and prescribing a penalty, and making each day the same is committed a separate offense."

Senator Johnston of Harris moved that the bill be laid on the table subject to call.

The motion was lost.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend House Bill No. 151 by inserting after the word "thereof" in line 8 of Sec. 1, as printed, on page 1273 of the Senate Journal, the following: "in writing or print."

The bill was laid before the Senate, read second time and, on motion of Senator Caldwell, was passed to third reading by the following vote:

Yeas—16.

Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Clark.	Smith.
Dean.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Nays—11.

Bee.	Johnston of Harris.
Dayton.	King.
Floyd.	McCollum.
Gibson.	McNealus.
Hall.	Robbins.
Johnson of Hall.	

Absent.

Alderdice.	Decherd.
Bailey.	Harley.

Senator Westbrook moved to reconsider the vote by which House Bill No. 151 was passed to third reading and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 132.

(By unanimous consent.)

Whereas, all the Lutherans of Texas will assemble in Austin on October 31, 1917, to celebrate the 400th anniversary of the Reformation,

Be it resolved by the Senate that the use of the Senate Chamber be tendered them for holding such meeting.

CALDWELL.

The resolution was read and adopted.

House Bill No. 115.

Senator Suiter called up from the table and the Chair laid before the Senate on second reading:

H. B. No. 115, A bill to be entitled "An Act to amend Section 5 of an Act entitled 'An Act to create a State Bonded Warehouse System, and to afford a method of co-operative marketing for those engaged in the production of farm and ranch products and for the purpose of effectuating this end and creating a Board of Supervisors of Warehouses; defining the authority of said board and giving it power of visitation over the corporations chartered under the Act, etc., and declaring an emergency.'"

Senator Smith moved the adoption of the minority (favorable) committee report.

Senator Hudspeth moved to postpone further consideration of the bill indefinitely and the motion was lost by the following vote:

Yeas—14.

Bee.	Hudspeth.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McCollum.
Gibson.	Page.
Hall.	Parr.
Harley.	Woodward.

Nays—15.

Buchanan of Bell.	Lattimore.
Dayton.	McNealus.
Dean.	Robbins.
Decherd.	Smith.
Floyd.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Johnson of Hall.	

Absent.

Alderdice.	Bailey.
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Action recurred upon the motion of Senator Suiter and Senator Clark moved as a substitute that the ma-

majority (adverse) committee report be adopted, and the motion prevailed by the following vote:

Yeas—17.

Bailey.	Hudspeth.
Bee.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	McCollum.
Clark.	Page.
Decherd.	Par.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Nays—14.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Dayton.	McNealus.
Dean.	Robbins.
Floyd.	Smith.
Henderson.	Strickland.
Hopkins.	Suiter.

Senator Hudspeth moved to reconsider the vote by which the majority committee report was adopted and table the motion to reconsider.

The motion to table prevailed.

Bills Signed.

The Chair (President Pro Tem. Henderson), gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 432, A bill to be entitled "An Act to amend Article 6292 of the Revised Civil Statutes of the State of Texas for 1911; prescribing the fees that may be charged by the Texas State Board of Pharmacy."

S. B. No. 472, A bill to be entitled "An Act to amend Chapter 77 of the Special Laws passed at the Regular Session of the Thirty-third Legislature of 1913, providing for more efficient road laws for Bexar County, etc., and declaring an emergency."

S. B. No. 195, A bill to be entitled "An Act to amend Title 25, Chapter 2, Revised Civil Statutes of 1911, authorizing the formation and organization of private corporations for the purpose of building and operating dry docks and marine railways, by adding thereto Article 75."

S. B. No. 168, A bill to be entitled "An Act to authorize fraternal benefit societies to issue certificates to their members in which eleemosynary, religious or educational socie-

ties, associations or corporations may be named as beneficiaries, and declaring an emergency."

S. B. No. 478, A bill to be entitled "An Act incorporating and creating the Phelps Independent School District in Walker County, Texas, for free school purposes only, and declaring an emergency."

S. B. No. 423, A bill to be entitled "An Act to restore and confer upon the County Court of Kerr County the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court and to repeal all laws in conflict with this Act, and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act to appropriate out of the general revenue not heretofore appropriated the sum of twenty-one thousand eight hundred thirty-two and eighty hundredths dollars (\$21,832.80) or so much thereof as may be necessary to defray the expenses of the Live Stock Sanitary Commission of Texas in carrying out the provisions of C. S. S. B. No. 108, providing for the tick and sheep scab eradication for the fiscal year ending August 31, 1917, and declaring an emergency."

S. C. R. No. 1, A resolution providing for a constitutional convention to convene on the second Tuesday in January, 1918.

S. B. No. 485, A bill to be entitled "An Act creating the Lodge Independent School District, in Hall County, Texas; defining its boundaries and authority; abolishing Common School Districts Nos. 11, 15 and 25 in Hall County and declaring that all property owned in said districts is vested out of them and into the proper authority as the property of the said Lodge Independent School District, etc., and declaring an emergency."

Free Conference Committee Report on House Bill No. 111.

Committee Room.

Austin, Texas, March 17. 1917.

Hon. W. P. Hobby, President of the Senate; Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Conference Commit-

tee appointed by the Senate and House to adjust the differences between the House and Senate on

H. B. No. 111,

Beg to advise that we have reached an agreement and submit the following report, to wit:

We have agreed that the House and Senate both recede from all the amendments placed on said bill by the House and Senate and recommend the following amendments to the bill as printed by the Senate:

1. Amend Section 2, page 2, line 15, after the word "therein" by striking out all after said word in said line down to the word "and" in line 16, and insert the following: "and that nothing to drink will be kept, sold or drunk on said premises except plain water."

2. Amend Section 2, page 3, line 2, by striking out the words "three times" and inserting in lieu thereof the words "more than once."

3. Amend Section 4, page 3, line 20, by inserting after the word "operated" and before the word "that" the following: "and that nothing to drink shall be kept, sold or drunk on said premises except plain water."

4. Amend page 3, Section 4, line 24, by striking out all after the word "playing" in line 24, down to the word "morning" in line 28, and insert in lieu thereof the following: "that said pool hall if located in a town of more than fifteen thousand inhabitants shall be closed at 11 o'clock p. m. each Saturday night and remain closed until 6 o'clock a. m. the following Monday morning, and will be closed at 11 o'clock p. m. each night of the week and remain closed until 6 o'clock a. m. the following morning; that said pool hall if located in a town of less than fifteen thousand inhabitants will be closed at 10 o'clock p. m. each Saturday night and remain closed until 6 o'clock a. m. the following Monday morning and will be closed at 10 o'clock p. m. each other night of the week and remain closed until 6 o'clock a. m. the following morning. The population of said towns above mentioned shall be arrived at by multiplying by five the scholastic population of said town as established by the latest public school directory of the State of Texas issued by the Department of Education of said State."

5. Amend Section 4 by striking out

all after the word "minor" in line 32, page 3, down to and including the word "minor" in line 5, page 4, and insert in lieu thereof the following: "shall be permitted to play or loiter and remain in or on said premises."

6. Amend Section 5, line 15, after the word "defined" and before the word "shall" by inserting the following: "or as the same is forbidden by or contrary to the terms of the bond or application

7. Amend Section 5, page 4, line 17, by inserting in lieu of "\$10.00" "\$25.00" and in lieu of "\$50.00" "\$100.00."

8. Amend page 3, Section 4, line 23, by striking out all of line 23 down to and including the word "playing" in line 24.

9. Amend page 5, Section 8, lines 27 and 28, by striking out all after the word "tax" in line 27 down to the word "profit" in line 28, and insert in lieu thereof the following: "of \$250.00 per annum for a license to operate seven pool or billiard tables, or pool and billiard tables, or any number less than seven, and shall pay in addition thereto an occupation tax of \$20.00 per annum for every pool or billiard table in excess of seven."

10. Amend Section 8, page 6, line 6, by striking out all after the word "corporation" in said section in line 6 down to and including the word "State" in line 8, and insert in lieu thereof the following: "but no license shall ever be issued to any person, firm or corporation to operate a pool hall in any city or town under two thousand inhabitants, nor shall any license ever be issued to any person, firm or corporation in any town or village having more than two thousand inhabitants and less than twelve thousand inhabitants unless the party files with his application the written consent of the majority of the governing body of said city, town or village, and if there is not such a governing body then he must file with such application the written permission of the governing board of the county in which said hall is to be situated; said governing board of such county is declared to be the county commissioners and the county judge. The population of said towns above mentioned to be arrived at by multiplying by five the scholastic population of said city, town or village as shown by the latest public school directory of the

State of Texas issued by the Department of Education of the State of Texas."

11. Amend Section 9, line 14, page 6, by striking out "\$10.00" and inserting in lieu thereof "\$25.00" and by striking out "\$50.00" and inserting in lieu thereof "\$100.00."

We respectfully recommend that the above agreement and amendments be adopted and the bill as amended do pass, and that thereafter these committees be discharged.

DEAN,
JOHNSON,
STRICKLAND,
LATTIMORE,
CLARK,

On the part of the Senate.

POPE,
TERRELL,
SPRADLEY,
WILLIAMS,
of McLennan,
THOMPSON
of Nacogdoches.

On the part of the House.

The report was read and on motion of Senator Dean the Senate adopted the same.

Senate Bill No. 397—House Amendments Concurred In.

Senator Hudspeth called up for consideration of House amendments to

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal college, to be located at Alpine, in Brewster County, Texas; to be known as the 'Alpine State Normal College,' and declaring an emergency."

The following House amendments were laid before the Senate:

Amend Senate Bill No. 397 as follows: Amend the caption in line 9 by striking out words "Alpine State" and inserting words "Sul Ross."

Amend Section 1, lines 13 and 14, by striking out the words "Southwest Texas State" and inserting words "Sul Ross."

Amend Section 1, line 28, by striking out the word "college" and inserting the word "school board."

Amend Section 3, line 21, by striking out the words "East Texas" and inserting the words "Sul Ross."

Amend Section 5, line 8, by striking

ing out the words "East Texas State" and inserting therein the words "Sul Ross Normal College."

Amend Section 6, line 19, by striking out the words "Southwest Texas State" and inserting the words "Sul Ross."

Amend Section 6, line 25, by striking out the words "East Texas" and inserting therein the words "Sul Ross."

Amend Section 6, line 31, by striking out the words "Alpine State" and inserting the words "Sul Ross."

Amend committee report, line 18, by striking out words "Alpine State" and inserting words "Sul Ross."

Amend committee amendment, lines 23 and 24 by striking out words "caption and;" amend line 24 by adding after the words "Sul Ross" except in Section 1, line 12, which designates the location.

Amend Senate Bill No. 397, page 1. Section 1, line 25, by striking out the word and letters "fifty (50)" and substituting therefor the following: "One hundred (100)."

On motion of Senator Hudspeth the Senate concurred in the amendments.

Recess.

At 12:20 o'clock Senator Clark moved that the Senate recess until 2:30 o'clock p. m. today.

As a substitute Senator Strickland moved that the Senate recess until 2 o'clock today.

Action recurred on the longest time first and the motion to recess until 2:30 o'clock prevailed.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Henderson.

Message From the House.

Hall of the House of Representatives, Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 370, A bill to be entitled

"An Act to amend Articles 628 and 632 of Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas (1911 compilation), said Chapter being Chapter 7 of the General laws of the First Called Session of the Thirty-first Legislature, 1909, etc., and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act to provide for an appeal from interlocutory orders overruling motions to vacate orders appointing receivers."

S. D. No. 168, A bill to be entitled "An Act to authorize fraternal benefit societies to issue certificates to their members in which eleemosynary, religious or educational societies, associations or corporations may be named as beneficiaries, and declaring an emergency."

S. B. No. 186, A bill to be entitled "An Act to amend Section 1, Chapter 26 of the General Laws of the Thirty-third Legislature, 1913, State of Texas, more clearly defining duty of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice; except to certain public officers named, and declaring an emergency."

S. B. No. 195, A bill to be entitled "An Act to amend Title 25, Chapter 2, Revised Civil Statutes of 1911, authorizing the formation and organization of private corporations for the purpose of building and operating dry docks and marine railways, by adding thereto Article 75, and declaring an emergency."

S. B. No. 98, A bill to be entitled "An Act providing for the salaries of clerks of the Courts of Civil Appeals, and the payment of costs collected by said clerks into the Treasury of the State of Texas, and declaring an emergency."

S. B. No. 208, A bill to be entitled "An Act forbidding the transaction of business in Texas under an assumed name other than the real name, or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is so conducted a certificate containing the names and addresses of such persons; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk

for filing such certificate; making it a misdemeanor not to comply with the provisions of this Act, and fixing a penalty for such failure."

Concurs in Senate amendments to House Bills Nos. 504 and 37.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

House Bill No. 508.

The Chair laid before the Senate on third reading:

H. B. No. 568, A bill to be entitled 'An Act making it an offense for any person who is treasurer of any school district in this State, or for any officer, director, stockholder, agent or employe of any corporation that is the treasurer or depository of any school district in this State to fraudulently take, misapply or convert to his own use any of the money, property or other thing of value belonging to such district or to secrete the same with the intent to take, misapply or convert it to his own use, or to pay or deliver the same to any person knowing that he is not entitled to receive it, prescribing a penalty, and declaring an emergency."

The bill was laid before the Senate, read third time and on motion of Senator Buchanan of Scurry was passed finally.

House Bill No. 715.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

H. B. No. 715, A bill to be entitled "An Act to create a more efficient road system for Lampasas county, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Caldwell, was passed by the following vote:

Yeas—31.

Alderdice.	Dayton.
Bailey.	Dean.
Bee.	Decherd.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Clark.	Harley.

Henderson.	Parr.
Hopkins.	Page.
Hudspeth.	Robbins.
Johnson of Hall.	Smith.
Johnston of Harris.	Strickland.
King.	Suiter.
Lattimore.	Westbrook.
McCollum.	Woodward.
McNealus.	

House Bill No. 735.

The Chair laid before the Senate on third reading:

H. B. No. 735, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones county, Texas, etc.,' and declaring an emergency."

The bill was laid before the Senate; read third time and, on motion of Senator Bee, was passed by the following vote:

Yeas—31.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

House Bill No. 754.

The Chair laid before the Senate on third reading:

H. B. No. 754, A bill to be entitled "An Act to amend Article 2814 of the Revised Civil Statutes of the State of Texas, 1911, so as to confer upon the State Superintendent of Public Instruction the authority, upon satisfactory evidence being presented, to reinstate a teacher's certificate theretofore canceled by him and giving right of appeal to the State Board of Education."

The bill was laid before the Senate, read third time and on motion of Senator Bee was passed finally.

House Bill No. 837.

The Chair laid before the Senate on third reading:

H. B. No. 837, A bill to be entitled "An Act making appropriation to pay contingent expenses of the Thirty-fifth Legislature."

The bill was laid before the Senate, read third time and on motion of Senator McNealus was passed by the following vote:

Yeas—29.

Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Present—Not Voting.

King.

Absent.

Alderdice.

House Bill No. 135.

The Chair laid before the Senate on second reading:

H. B. No. 135, A bill to be entitled "An Act amending Article 2939, Chapter 4, Title 49, Revised Civil Statutes of the State of Texas of 1911, and to regulate elections, and prescribing certain qualifications of voters thereat, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Lattimore offered the following amendment:

Amend House Bill No. 135 by striking out all, beginning in line 6, of the proposed Article 2939 after the word "elector" down to and including the word "voter" in line 13 of said proposed article.

On motion of Senator McCollum further consideration of the bill was postponed.

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate, that the House has passed the following bills:

S. B. No. 184, A bill to be entitled "An Act to amend Article 7491, Chapter 10, Title 126 of the Revised Civil Statutes of Texas, so as to authorize the Comptroller to appoint and contract with persons to collect inheritance taxes, and declaring an emergency," with amendments.

S. B. No. 241, A bill to be entitled "An Act to amend Subdivisions 1, 2, 6 and 7 of Article 1130, Chapter 2, Title 15 of the Revised Criminal Statutes of the State of Texas, passed by the Regular Session of the Thirty-second Legislature, 1911, relating to the fees allowed to sheriffs and constables in all cases when the charge is felony."

Concurs in Senate amendments to House Bill No. 678.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 267, A bill to be entitled "An Act to define a delinquent child and to regulate the treatment and control of same; providing for commitment of the delinquent and incorrigible juvenile in the State Institution to be hereafter known as the State Training School for Boys, located at Gatesville, Coryell County, Texas, and declaring an emergency," with amendments.

S. B. No. 246, A bill to be entitled "An Act conveying certain tract of land situated in Galveston County, Texas, to the United States of America, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives

Hall of the House of Representatives,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 82, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas east of the 96th meridian; providing for the location of such college, its government and control of its finances; defining its leading object and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science and for military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriation for the location, establishment and maintenance of said college, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

(Senator Dean in the Chair.)

House Bill No. 481.

Senator Hudspeth asked for unanimous consent to take up House Bill No. 481.

There was objection.

Senator Hudspeth moved that the regular order of business be suspended, and the Senate take up, out of its order, House Bill No. 481.

The motion prevailed by the following vote:

Yeas—23.

Bailey.	Henderson.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Westbrook.
Hall.	Woodward.
Harley.	

Nays—4.

Hopkins.
McNealus.

Robbins.
Strickland.

Absent.

Alderdice.
Gibson.

McCollum.
Suiter.

The Chair laid before the Senate on second reading:

H. B. No. 481, A bill to be entitled "An Act to amend Article 3944 of the Revised Statutes of Texas, 1911, for the issuance of citation and service thereof, relating to forcible entry and detainer; and, further, providing that in case the plaintiff shall file a bond in a sum in an amount to be fixed by the justice of the peace issuing such citation shall be placed in possession of the property unless the defendant shall within six days from the service of citation execute and deliver to the officer serving such citation a bond in a sum at least double the amount of the bond executed by the plaintiff and to be approved by said officer; conditioned that the defendant will pay all rent that may be due or owing at the time of the execution of said bond and all rent that may be due or owing when said case is finally tried, and all costs of suit in case judgment is rendered against him."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Hudspeth was passed to its third reading.

Senate Bill No. 267—House Amendments Concurred In.

Senator Dayton called up for consideration of House amendments to

S. B. No. 267, A bill to be entitled "An Act to define a delinquent child and to regulate the treatment and control of same; providing for commitment of the delinquent and incorrigible juvenile in the State institution to be hereafter known as the State Training School for Boys, located at Gatesville, Coryell County, Texas, etc."

The following House amendments were laid before the Senate:

Amend Senate Bill No. 267, Section 6, page 8, line 5, printed bill, by striking out word "nine" and inserting the word "six."

Amend Senate Bill No. 267, Section 19, page 14, line 5, printed bill, by inserting after the word "board" the words "of school trustees."

Amend Senate Bill No. 267, Section 20, line 28, printed bill, by striking out the words "or the State Training School for Girls."

On motion of Senator Dayton the foregoing amendments were concurred in by the Senate.

Senate Bill No. 184—House Amendments Concurred In.

Senator Lattimore called up for consideration of House amendment to

S. B. No. 184, A bill to be entitled "An Act to amend Article 7491, Chapter 10, Title 126 of the Revised Civil Statutes of Texas, so as to authorize the Comptroller to appoint and contract with persons to collect inheritance taxes, and declaring an emergency."

The following House amendment was laid before the Senate:

Amend Senate Bill No. 184 by striking out the words and figures "fifteen (15) per cent," line 21, page 1, and insert in lieu thereof the words and figures "ten (10) per cent."

On motion of Senator Lattimore the Senate concurred in the foregoing amendment.

*** Simple Resolution No. 133.**

(By unanimous consent.)

Whereas, the carpet that is on the Senate Chamber floor has been there for several years, and

Whereas, The floor has not been scrubbed for several years; therefore be it

Resolved, That fifty dollars (\$50.00) is hereby appropriated out of the Contingent Expense Fund, and be paid to the Superintendent of Public Buildings and Grounds for the purpose of having the Senate Chamber floor thoroughly scrubbed with water and soap. Then the same to be thoroughly saturated with a solution of bichloride of mercury, strength 1 to 1000, and allowed to become dry before laying the new carpet.

CLARK.

The resolution was read and adopted.

**Free Conference Committee Report
on Senate Bill No. 247.**

Committee Room,
Austin, Texas, March 19, 1917.

Hon. W. P. Hobby, President of the
Senate; Hon. F. O. Fuller, Speak-
er of the House.

Sirs: We, your Free Conference
Committee appointed on Senate
Bill No. 247, beg leave to report
that we have met and adjusted the
differences between the House and
Senate and recommend to the House
and Senate the passage of said bill
amended as follows:

Amendment No. 1. Strike out all
after the enacting clause and in-
sert in lieu thereof as follows:

Section 1. That Chapter 48 of
the Acts of the Regular Session of
the Thirty-first Legislature, 1909
be, and the same is hereby, amend-
ed so as to hereafter read as fol-
lows:

"Section 1. From and after the
passage of this Act the district at-
torney shall appoint one assistant
district attorney in districts in
which there is situated a city of
twenty-eight thousand population
or over according to the United
States Census of 1910; provided the
district attorney shall furnish data
to the district judge of his district
that he is in need of an assistant
and that the district attorney is him-
self unable to attend to all of the
duties required of him by law, and
that it is necessary to the best in-
terests of the State that an assis-
tant district attorney be appointed.
Every person so appointed shall be
a qualified resident attorney of the
district in which said appointment
district attorneys by this State, and
take the oath of office required of
is made and shall give bond and
shall have the power and authority
to perform all the acts and duties
of district attorneys under the laws
of this State, and said appointment
shall be for such time as the dis-
trict attorney shall deem best in the
enforcement of the law, not to be
less than one month.

"Section 2. Said assistant dis-
trict attorney shall be paid for the
time of actual service rendered at
the rate of the sum of \$2500.00 per
annum, by the Comptroller of the
State of Texas, and said amounts to
be paid in monthly payments, upon

certificates of district clerk and dis-
trict judge of said district, that said
assistant district attorney has per-
formed his duties and is entitled to
pay."

Section 3. The district attorney
of any such district at any time he
deems said assistant unnecessary, or
that the person appointed is not at-
tending to his duties as required by
law, may remove said person from
office by merely writing to the dis-
trict judge of the said district to
that effect.

Sec. 4. The fact that there is no
adequate law of this State, provid-
ing for assistant district attorneys,
and in many districts of the State,
the district attorneys have a large
amount of important work, which
they are unable to attend to, on ac-
count of lack of time creates an
emergency and an imperative pub-
lic necessity that this Act be passed
under a suspension of the constitu-
tional rule requiring bills to be read
on three several days, and that the
rule is therefore suspended and this
Act shall take effect from and after
its passage, and it is so enacted.

Amendment No. 2. Strike out all
before the enacting clause and in-
sert in lieu thereof the following:

An Act to amend Chapter 48 of
the laws of the Regular Session of
the Thirty-first Legislature, 1909,
relative to the appointment of an
assistant district attorney, prescrib-
ing the mode of appointment of as-
sistant district attorneys in districts
containing a city of twenty-eight
thousand population or over accord-
ing to the United States census of
1910, prescribing the qualifications
of such assistant district attorney,
defining his duties, providing the
method of his removal from office,
fixing his salary and prescribing the
mode of its payment, and declar-
ing an emergency.

HUDSPETH,
CALDWELL,
DAYTON,
CLARK,
WOODWARD,

On the part of the Senate.

FLY,
DUDLEY,
BELL,
POPE,
JONES,

On the part of the House.

On motion of Senator Caldwell the foregoing report was adopted.

House Bill No. 701.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 701, A bill to be entitled "An Act to amend Chapter 124 of the General Laws of the State of Texas passed by the Thirty-fourth Legislature at its Regular Session and entitled 'An Act to amend Articles 7608, 7610 and 7618 of the Revised Civil Statutes of the State of Texas, 1911, relating to taxation, providing for a maximum bond of tax collectors, fixing the time for filing by tax collectors of their report, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency,' providing for a reduction in the amount of the bonds required under the provisions of said Articles 7608 and 7610, and further providing that the premiums on such bonds may be paid by the county of which the principal therein is the tax collector, out of the general revenues of the county, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Dean offered the following amendments, which were read and adopted, being voted on separately:

(1) Amend the bill by striking out the words and figures "twenty per cent" wherever they occur in the bill and insert in lieu thereof the words and figures "forty per cent."

(2) Amend the bill by striking out the words and figures "fifty thousand" wherever they occur in the bill and insert in lieu thereof the words and figures "one thousand."

Senator Caldwell offered the following amendment, which was read and adopted:

(3) Amend House Bill 701 by striking out word "may" and insert the word "shall" in Article 7610, so as to read, "taxpayers shall pay a reasonable amount as premium."

The bill was read second time and passed to its third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 701

put on its third reading and final passage by the following vote:

Yeas—26.

Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Alderdice.	Smith.
Bailey.	Strickland.
McCollum.	

The bill was laid before the Senate, read third time and, on motion of Senator Lattimore, was passed finally.

Senator Lattimore moved to reconsider the vote by which House Bill No. 701 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 844.

The Chair laid before the Senate on second reading,

H. B. No. 844, A bill to be entitled "An Act to reorganize the Thirty-eighth and Sixty-third Judicial Districts of the State of Texas; and prescribe the time, and fix the terms of holding the courts of each of said judicial districts; and to conform all writs and process from such courts to such changes, and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of the courts in the several districts as herein fixed; to validate process and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was

suspended and House Bill No. 844 put on its third reading and final passage by the following vote:

Yeas—30.

Bailey.	Hudspeth.
Bec.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Alderdice.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed finally.

(Lieutenant Governor Hobby in the chair.)

House Bill No. 227.

Senator Caldwell called up from the table and the Chair laid before the Senate on second reading,

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions from the operation of what is known as the 'Anti-Pass Law,' so as to include among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals while traveling to and from their State and district conventions."

Senator Caldwell moved that the bill be passed to its third reading, and on that motion moved the previous question, which being duly seconded, the main question was ordered.

Action recurred on the motion to

pass the bill to its third reading, and the same prevailed by the following vote:

Yeas—13.

Bailey.	Johnston of Harris.
Caldwell.	McCollum.
Clark.	Page.
Hall.	Parr.
Harley.	Woodward.
Henderson.	The Lt. Governor.
Hudspeth.	

Nays—12.

Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Dayton.	Strickland.
Dean.	Suiter.
Decherd.	Westbrook.

Present—Not Voting.

Gibson.	Robbins.
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Absent.

Alderdice.	McNealus.
Floyd.	Smith.
Lattimore.	

Senator Caldwell moved to reconsider the vote by which House Bill No. 227 was passed to its third reading and table the motion to reconsider.

The motion to table prevailed.

Bills Signed.

The Chair (Lieutenant Governor Hobby), gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine in Brewster County, Texas; to be known as the 'Sul Ross' State Normal College," and declaring an emergency."

S. B. No. 241, A bill to be entitled "An Act to amend Subdivisions 1, 2, 6 and 7 of Article 1130, Chapter 2, Title 15, Revised Criminal Statutes of the State of Texas, passed by the Regular Session of the Thirty-second Legislature, 1911, relating to the fees allowed to sheriffs and constables in all cases when the charge is felony."

S. B. No. 98, A bill to be entitled

"An Act providing for salaries of Clerks of the Courts of Civil Appeals and the payment of costs collected by said clerks into the Treasury of the State of Texas."

S. B. No. 494, A bill to be entitled "An Act creating the San Diego Independent County Line School District of Duval County by adding to and making a part of what is now known as the San Diego Independent School District of Duval County certain lands and territory adjoining thereto and situated in Duval and Jim Wells Counties for school purposes only, etc., and declaring an emergency."

Messages From the House.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has indefinitely postponed:

S. B. No. 257, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, of Title 84, of the Revised Civil Statutes of Texas of 1911 so as to make privileged, without proof of actual malice, a fair, true and impartial account of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners' courts and boards of trustees of public schools."

Passed:

S. B. No. 488, A bill to be entitled "An Act amending an Act creating the Kingsland Independent School District in Llano County by adding thereto certain land in Burnet County."

S. B. No. 259, A bill to be entitled "An Act to amend Article 5598 of the Revised Civil Statutes of the State of Texas of 1911, Title 84, Chapter 1, by providing that nothing in said title shall be construed to take away any now or heretofore existing defense to a civil action for libel, and preserving all such defenses."

S. B. No. 263, A bill to be entitled "An Act to amend Article 1033, Chapter 14, Title 22, of the Revised Civil Statutes of the State of Texas, adopted in 1911, so as to authorize the incor-

poration of towns or villages containing more than two hundred (200) and less than ten thousand (10,000) inhabitants."

S. B. No. 265, A bill to be entitled "An Act to authorize and permit B. A. Eastham to sue the State of Texas and the Prison Commission of the State of Texas in the district court of Walker County, Texas, for damages for the breaches, if any, and the failure, if any, to perform the duties and obligations, if any, arising out of the contract made on or about the 12th day of January, A. D. 1910, between the said B. A. Eastham of the one side and J. A. Herring as superintendent, and A. M. Barton as financial agent of the Texas State penitentiaries, of the other side," with amendments.

Concurs in Senate amendments to House Bill No. 360.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 285, A bill to be entitled "An Act to amend Article 5621, Chapter 2, of the Revised Civil Statutes of the State of Texas of 1911, relating to liens of mechanics, contractors, builders and materialmen."

S. B. No. 315, A bill to be entitled "An Act to amend Title 22, Chapter 4, Article 879, of the Revised Statutes of the State of Texas of 1911, and declaring an emergency."

House concurs in Senate amendments to House Bill No. 755.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 449, A bill to be entitled "An Act to establish at Arlington, Tarrant County, Texas, a Junior Agricultural, Mechanical and Industrial College to be known as the Grubbs

Vocational College, making an appropriation therefor, and declaring an emergency."

S. B. No. 490, A bill to be entitled "An Act to amend Section 6 of an act passed by the present session of the Thirty-fifth Legislature and approved on the 16th day of March, 1917, pertaining to the development of minerals in the public free school lands and water, and declaring an emergency."

S. B. No. 470, A bill to be entitled "An Act to amend Article 2877, Title 48, Chapter 17, of the Revised Civil Statutes, 1911, entitled 'Election Local School Tax,' providing that the city or town council or board of aldermen of any city, town or village, whether incorporated under any act of the Congress of the Republic or the Legislature of the State of Texas or under any act of incorporation whatever, shall have power by ordinance to annually levy and collect a local tax not to exceed in any one year fifty cents on the one hundred dollars valuation of the property subject to taxation in such district for the support and maintenance of public free schools and the erection and equipment of school buildings therein; providing that no levy of such tax shall be made until an election shall have been held in which none but property tax payers who are qualified voters of such city or town or of such independent school district shall vote, and a majority of those voting shall vote in favor thereof; providing that said tax may be for a special amount of not to exceed fifty cents on the one hundred dollars valuation; providing that one election for the levy of any such tax or for the repeal of any such tax shall be held in any one calendar year, but whenever the majority of any such voters have voted in favor of such tax, no election for its repeal shall be held for two years thereafter; making provisions for the levy and collection of said tax; providing that the limitation upon the amount of school district tax authorized by this act shall not apply to incorporated cities or towns constituting separate and independent school districts as is provided in Section 3, Article 7, of the Constitution of the State of Texas, and declaring an emergency."

Concurs in Senate amendment to House Bills Nos. 619 and 701.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 128, A bill to be entitled "An Act to amend Articles 6174, 6181, 6186, 6188, 6201, 6214, 6215, 6220, 6223, 6224, 6227, and by adding Article 6231a, Title 104, Chapters 1 and 2, of the Revised Civil Statutes of the State of Texas of 1911, regulating the management, control and financing the penitentiary system, and working of prisoners therein of the State of Texas, and declaring an emergency."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Bill Read and Referred.

The Chair (Lieutenant Governor Hobby), had referred, after its caption had been read, the following House Bill:

H. B. No. 128, referred to the Committee on State Penitentiaries.

Senate Bill No. 265—House Amendments Concurred In.

Senator Dean called up for consideration of House Amendments to:

S. B. No. 265, A bill to be entitled "An Act to authorize and permit B. A. Eastham to sue the State of Texas and the Prison Commission of the State of Texas in the district court of Walker county, Texas, for damages for the breaches, if any, and the failure, if any, to perform the duties and obligations, if any, arising out of the contract made on or about the 12th day of January, A. D. 1910, between the said B. A. Eastham of the one side and J. A. Herring as superintendent, and A. M. Barton as financial agent, of the Texas State penitentiaries, of the other side."

The following House Amendments were laid before the Senate:
Amend Senate bill No. 265 in caption, by striking out the word "Walker" and inserting in lieu thereof the word "Travis," thereby establishing the venue of said suit in Travis county instead of Walker county.

Amend Senate bill No. 265, in line 4, Section 1, by striking out the word "Walker" and inserting in lieu thereof the word "Travis," thereby establishing the venue of said suit in Travis county instead of Walker county.

Amend Senate bill No. 265 by adding after the word "adjudged," line 23, page 2, the words, "and if said judgment shall be affirmed by the Court of Civil Appeals and the Supreme Court in favor of plaintiff."

On motion of Senator Dean the foregoing amendments were adopted.

House Bill No 849.

The Chair laid before the Senate on second reading:

H. B. No. 849, A bill to be entitled "An Act to make an emergency appropriation of the necessary money to restore the roof and to repair the damage to what is known as the Old Hospital Building of the Confederate Home in Austin, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 849 put on its third reading and final passage by the following vote:

Yeas—29.

Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Scurry.	Hall.
Caldwell.	Harley.
Clark.	Henderson.
Dayton.	Hopkins.
Dean.	Hudspeth.
Decherd.	Johnson of Hall.

Johnston of Harris.	Robbins.
King.	Smith.
Lattimore.	Strickland.
McCollum.	Suiter.
McNealus.	Westbrook.
Page.	Woodward.
Parr.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Alderdice.

The bill was laid before the Senate, read third time, and on motion of Senator Caldwell, was passed finally.

House Bill No. 498—Refusal to Take Up.

Senator Buchanan of Bell asked for unanimous consent to take up at this time House Bill No. 498.

There was objection.

Senator Buchanan of Bell moved that the regular order of business be suspended, and the Senate take up, out of order, House Bill No. 498.

The motion was lost by the following vote:

Yeas—16.

Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hopkins.
Caldwell.	Hudspeth.
Decherd.	Johnson of Hall.
Floyd.	Johnston of Harris.
Gibson.	King.
Hall.	Parr.
Harley.	Woodward.

Nays—9.

Bailey.	Lattimore.
Bee.	Page.
Clark.	Strickland.
Dayton.	Suiter.
Dean.	

Absent.

Alderdice.	Robbins.
McCollum.	Smith.
McNealus.	Westbrook.

House Bill No. 257.

The Chair laid before the Senate on second reading:

H. B. No. 257, A bill to be entitled "An Act to provide for the placing of short term male State convicts upon

public roads; to define short term male convicts and rules governing them while employed upon public highways; to give counties authority to secure State convicts through petition of the commissioners' court to the Penitentiary Commission to recommend the placing of such convicts upon their honor as their merit will justify when such transfer is made from the State farms or the walls to public roads; making it mandatory for the commissioners' court thus petitioning to provide railroad fare from the penitentiary farms to the point of destination; to provide for commutation of sentence for good behavior and service to such convicts as merit reward; giving the commissioners' court authority to pay for transportation of convicts by warrants drawn upon the road and bridge funds of the county so petitioning; also authority to draw warrants upon road and bridge fund for maintenance of convicts, for food, raiment and medical purposes."

The committee report that the bill be not printed was adopted.

Senator Henderson offered the following amendment, which was read and adopted:

(1) Amend the bill, Section 2, by striking out the figures and word "2 to 10" and insert the figures and words "1 to 5" wherever they occur.

Senator Dean offered the following amendment, which was read and adopted:

(2) Amend by adding at the end of Section 4 and as a part thereof the following: "Provided, further, that the Prison Commissioners shall in no event be required to transfer any convicts needed by said Commission on the farms or in the factories and workshops operated by it."

Senator Henderson offered the following amendment which was read and adopted:

(3) Amend Section 7 of the bill as printed in Journal by striking out the words "2 to 6" in line 10, right hand column, and insert instead "1 to 5"

Senator Henderson offered the following amendment, which was read and adopted.

(4) Amend the bill by adding Section 14:

"Section 14. All convicts who are put upon the public roads under this bill may be worked each day not exceeding ten hours."

Senator Lattimore offered the following amendment:

(5) Amend Section 7 by striking out the last section of said section and inserting the following: "Those who are on honor and escape and are recaptured shall be returned to the walls of the State Penitentiary, and the right to commutation of sentence of such convict shall be forfeited."

Senator Caldwell moved the previous question on the adoption of the amendment and on the passage of the bill to its third reading, which motion being duly seconded the main question was ordered.

Action recurred upon the pending amendment and the same was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Caldwell, was passed to its third reading.

House Bill No. 91.

The Chair laid before the Senate on second reading:

H. B. No. 91, A bill to be entitled "An Act providing that in all suits of mandamus or injunction against any person holding any public office in this State, and in his official capacity, after final trial and judgment in the trial court, and after notice of appeal to the Court of Appeals or Supreme Court has been given, should such person vacate such office, such suit shall not abate; providing that his successor may be made a party to such suits, by motion, and providing for costs, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 91 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Dean.
Bailey.	Decherd.
Bee.	Floyd.
Buchanan of Scurry.	Hall.
Caldwell.	Harley.
Clark.	Henderson.
Dayton.	Hopkins.

Hudspeth.	Parr.
Johnson of Hall.	Robbins.
Johnston of Harris.	Smith.
King.	Strickland.
Lattimore.	Suiter.
McNealus.	Westbrook.
Page.	Woodward.

Absent.

Buchanan of Bell. McCollum.
Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

(President Pro Tem. Henderson in the chair.)

House Bill No. 551.

The Chair laid before the Senate on second reading,

H. B. No. 551, A bill to be entitled "An Act to amend Chapter 3, Title 124, of the Revised Civil Statutes of 1911, so as to take the counties of Wharton, Fort Bend, Matagorda and Brazoria from the counties exempted by Article 7184 of said Act, and place said counties under the provisions of said Title 124, Chapter 3."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 551 put on its third reading and final passage by the following vote:

Yeas—31.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.

Suiter.	Woodward.
Westbrook.	

The bill was laid before the Senate, read third time and, on motion of Senator Hall was passed finally.

House Bill No. 117.

The Chair laid before the Senate on second reading:

H. B. No. 117, A bill to be entitled "An Act to amend Chapter 1, Title 49, of the Revised Civil Statutes of Texas, 1911, providing for the time and place of holding of elections, by adding thereto Article 2919a, providing that in all instances where practicable, all elections shall be held in some school house, fire station or other public building within the limits of the election precinct without charge therefor, except for actual additional expenses, and authorizing such use of public buildings, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 117 put on its third reading and final passage by the following vote:

Yeas—31.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed finally.

Message From the House.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House refused to adopt Free Conference Committee report on House Bill No. 111, and requests the committee to make another report.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

House Bill No. 111—Vote Rescinded.

I move to reconsider the vote by which the Senate adopted the Free Conference report on H. B. 111, and to grant the request of the House for further conference to make another report.

The motion prevailed.

Bills Signed.

The Chair (President Pro Tem. Henderson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 186, A bill to be entitled "An Act to amend Section 1, Chapter 26 of the General Laws of the Thirty-third Legislature, 1913, State of Texas, more clearly defining duty of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice, except to certain public officers named, and declaring an emergency."

S. B. No. 247, A bill to be entitled "An Act to amend Chapter 48 of the laws of the Regular Session of the Thirty-first Legislature, 1909, relative to the appointment of assistant district attorneys, prescribing the mode of appointment of district attorneys in districts containing a city of 39,000 population or more according to the United States census of 1910 and in which there is established no criminal district court, prescribing the qualification of such assistant district attorney, defining his duties and providing a

method for his removal from office, fixing his salary, and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act to provide for an appeal from interlocutory orders overruling motions to vacate orders appointing receivers."

S. B. No. 259, A bill to be entitled "An Act to amend Article 5598 of the Revised Civil Statutes of the State of Texas of 1911, Title 84, Chapter 1, by providing that nothing in said title shall be construed to take away any now or heretofore existing defense to a civil action for libel, and preserving all such defenses."

S. B. No. 449, A bill to be entitled "An Act to establish at Arlington, Tarrant County, Texas, a junior agricultural, mechanical and industrial college to be known as the Grubbs Vocational College, making an appropriation therefor, and declaring an emergency."

S. B. No. 285, A bill to be entitled "An Act to amend Article 5621, Chapter 2, of the Revised Civil Statutes of the State of Texas of 1911, relating to liens of mechanics, contractors, builders and material men."

House Bill No. 222.

The Chair laid before the Senate on second reading,

H. B. No. 222, A bill to be entitled "An Act to amend Article 4621, Chapter 32, of the General Laws of the Thirty-third Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend Articles 4621, 4622 and 4624, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, concerning the marital rights of parties, defining separate and community property of the husband and wife, conferring upon the wife the power to make contracts, authorizing suits on such contracts, giving the wife control over her separate property, placing limitations upon such control, giving her control over the rents from her separate real estate, interest on bonds and notes, and dividends on stock owned by her, and over her personal earnings, exempting the same from debts contracted by the husband, providing that the joinder of the husband shall be necessary to a conveyance or encumbrance of the wife's

lands, bonds and stocks, except that upon the order of the district court she may convey the same without the joinder of her husband, repealing Article 4625, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, and all other laws and parts of laws in conflict herewith, and declaring an emergency,' by providing that when the husband shall have permanently abandoned the wife, or shall be insane she may upon order of the district court, encumber, transfer or convey her separate real estate, bonds and stocks, without the joinder of her husband in such encumbrance, transfer or conveyance, and by providing that in such instances, upon order of the district court, she may transfer and convey her separate real estate, without the joinder of her husband in such transfer or conveyance, whether such separate real estate be occupied and claimed by her as a homestead or otherwise, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 222 put on its third reading and final passage by the following vote:

Yeas—30.

Alderdice.	Hopkins.
Bailey.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Westhrook.
Henderson.	Woodward.

Absent.

Strickland.

The bill was laid before the Senate, read third time and, on motion of Senator Hudspeth, was passed finally.

House Bill No. 361.

The Chair laid before the Senate on third reading:

H. B. No. 361, A bill to be entitled "An Act to amend Sections 565 and 566, Code of Criminal Procedure of the State of Texas, to enable an indicted person to enter his plea of guilty and proceed to serve his sentence when court is not in session in the particular county where venue would lie, and providing for the attendance of witnesses; filing fees of the sheriff and witnesses, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Hopkins offered the following amendments which were read and unanimously adopted, being voted on separately:

Amend House Bill No. 361 by striking out Section 1, and insert in lieu thereof the following:

Section 1. When in any county in this State which is located in a judicial district composed of more than one county, a party is charged with felony and the maximum punishment therefor shall not exceed fifteen years confinement in the penitentiary and the district court of said county is not in session, such party may, if he desires to enter a plea of guilty, make application to the district judge of such judicial district for a change of venue to the county in which said court is in session, and said district judge may, in term time or vacation, enter an order changing the venue of and transferring said cause to the county in which court is then in session, and the defendant may enter his plea of guilty to said charge in said district court of the county to which such venue has been changed, as under the law regarding such pleas as laid down in the Code of Criminal Procedure of the State of Texas, and such court shall have authority to issue all processes and require the attendance of witnesses, as fully and as completely as if said cause had originated in such court.

HOPKINS.

Amend House Bill 361 by striking out the caption and inserting in lieu thereof the following:

A bill to be entitled "An Act to enable an indicted person to procure a change of venue, to enter a plea of guilty and proceed to serve his sen-

tence when court is not in session in the county in which such prosecution is pending, repealing all laws in conflict herewith and declaring an emergency."

HOPKINS.

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins was passed finally.

Senate Concurrent Resolution No. 28.

(By unanimous consent.)

Be it Resolved, By the Senate of Texas, the House concurring, that the following provision of Joint Rule No. 11 be suspended, said provision being as follows:

"And no vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct an error therein."

The resolution was read and adopted by unanimous vote of the Senate.

House Bill No. 454.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 454, A bill to be entitled "An Act granting the right of contribution among defendants in judgment in cases arising out of court, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time passed to its third reading.

On motion of Senator Suiter, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 454 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Dayton.
Bailey.	Dean.
Bec.	Decherd.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Clark.	Hall.

Harley.	McNealus.
Henderson.	Page.
Hopkins.	Parr.
Hudspeth.	Robbins.
Johnson of Hall.	Smith.
Johnston of Harris.	Suiter.
Lattimore.	Westbrook.
McCollum.	

Absent.

Caldwell.	Strickland.
King.	Woodward.

The bill was laid before the Senate, read third time and, on motion of Senator Suiter, was passed finally.

Adjournment.

At 5:20 o'clock p. m. Senator Hudspeth moved that the Senate adjourn until 5:40 p. m., today.

Senator King made the point of order that the Senate cannot adjourn to reconvene on the same calendar day, except when the Senate is operating on the preceding calendar day, having recessed over night.

The Chair overruled the point of order citing precedent in the records of the Thirty-second Legislature.

Senator King moved that the Senate recess until 8:00 o'clock p. m., tonight.

Action recurred upon the longest time first and the motion to recess was lost by the following vote:

Yeas—11.

Bec.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	McCollum.
Dean.	McNealus.
Gibson.	Suiter.
Hopkins.	

Nays—19.

Alderdice.	Hudspeth.
Bailey.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	Page.
Dayton.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Hall.	Westbrook.
Harley.	Woodward.
Henderson.	

Present—Not Voting.

Strickland.

Action then recurred upon the motion to adjourn until 5:40 o'clock p. m., today and the motion prevailed by the following:

Yeas—22.

Alderdice.	Henderson.
Bailey.	Hudspeth.
Bec.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Westbrook.
Harley.	Woodward.

Nays—9.

Buchanan of Bell.	King.
Buchanan of Scurry.	McNealus.
Dean.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	

APPENDIX.

Engrossing Committee Report.

Senate Chamber,
Austin, Texas, March 20, 1917.
Hon. W. P. Hobby, President of the Senate.
Sir: Your Committee on Engrossed Bills has had Senate Bill No. 151 carefully compared, and finds the same correctly engrossed.
ALDERDICE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 20, 1917.
Hon. W. P. Hobby, President of the Senate.
Sir: We, your committee on Civil Jurisprudence, to whom was referred H. B. No. 520, A bill to be entitled "An Act giving to the owner of any real estate or interest therein sold under execution, order of sale, deed of trust, mortgage or other contract lien the right to the possession of the same for one year from the date of sale and a right to redeem the same at any time in one year from the date of sale, by paying to the purchaser the amount of the purchase money paid, together with interest thereon and an additional 5 per cent; pro-

viding that property redeemed under the Act shall not again be subject to levy or sale for the debt for which it was sold; providing that from the period of redemption allowed by this Act shall be deducted a period equal to any extension of the debt; providing that the right of redemption shall not be waived; providing that the right of redemption shall for all purposes be treated and regarded as real estate and declaring an emergency," Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.
Hon. W. P. Hobby, President of the Senate.
Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 389, A bill to be entitled "An Act to amend Article 1210, Chapter 1, Title 17 of the Penal Code of the State of Texas," Have had the same under consideration, and beg leave to report the bill back to the Senate with the recommendation that it do pass, and be not printed.
Page, Chairman; Caldwell, Hudspeth, Dayton, Westbrook, Lattimore, King, Suiter, Hall, Strickland.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.
Hon. W. P. Hobby, President of the Senate.
Sir: Your Committee on State Institutions and Departments, to whom was referred H. B. No. 212, A bill to be entitled "An Act to create and establish a Texas Industrial School and Work Shop for the Adult Blind of the State," providing for a board to locate such institution and to manage its affairs; providing an appropriation and declaring an emergency," Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.
Strickland, Chairman; Buchanan of Scurry, McCollum, Hopkins, Floyd, Westbrook.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your committee on State Affairs, to whom was referred

H. B. No. 691, A bill to be entitled "An Act to amend Articles 628 and 632 of Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas (1911 compilation), said Chapter being Chapter 7 of the General Laws of the First Called Session of the Thirty-first Legislature, 1909, entitled 'An Act to authorize any county or political subdivision or other defined district of the county, upon a vote of two-thirds majority of the resident property tax paying voters thereof who are qualified electors of such county or political subdivision or defined district of the county to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision or defined district thereof, etc.,' and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

McCollum, Chairman; Robbins, Strickland, Dayton, Gibson, King, Westbrook, Smith.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 577, A bill to be entitled "An Act to prevent the introduction into and the dissemination in this State of insect pests and plant diseases injurious or harmful to plants and plant products, vesting the enforcement thereof in the Commissioner of Agriculture and defining his powers and duties,"

Have had the same under consideration, and we now beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WOODWARD, Chairman.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 832, A bill to be entitled "An Act to provide for the maintenance and keeping up of private blocks and lots in cemeteries, in the State of Texas,"

Have had the same under consideration and beg leave to report the same back to the Senate, with the recommendation that it do pass and be not printed.

McNealus, Chairman; Smith, Clark, Strickland, Decherd, Bee Henderson.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 732, A bill to be entitled "An Act making an appropriation of the sum of seventeen hundred and ninety-nine (\$1799.66) dollars and sixty-six cents for the purpose of supplementing existing appropriations and the payment of the salaries of certain employes, etc., in the department of Superintendent of Public Buildings and Grounds for the months of February and August, 1917, both inclusive, fixing such salaries for such time and for the purpose of paying one-half of the expense of certain paving, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Caldwell, Parr, Bee, Johnson of Hall, Decherd, Westbrook, King, Hopkins, Clark, Johnston of Harris, Dean.

(Floor Report)

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 849, A bill to be entitled "An Act to make an emergency appropriation of the necessary money

to restore the roof and to repair the damage to what is known as the old hospital building at the Confederate Home in Austin, the roof of which was destroyed and the building damaged by fire on the 17th day of March, 1917, authorizing the Board of Trustees of the said institution to act at once and make the necessary contracts and have the work of restoration and repair done; and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Caldwell, Parr, Bee, Johnson, Decherd, King, Westbrook, Hopkins, Clark, Johnston of Harris, Dean.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 454, A bill to be entitled "An Act granting the right of contribution among defendants in judgment in cases arising out of tort and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 288, A bill to be entitled "An Act to amend Article 5661, Revised Civil Statutes of Texas, 1911, Title 86, Chapter 7, relating to the registration of chattel mortgages and to provide the effect to be given to the registration to such mortgages, where the same relates to property sold to be thereafter attached to the realty as a fixture; to provide for a special book in which such chattel mortgages shall be registered; to regulate the manner of registering the same, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the

recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 282, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereunto Section 77, providing for the building and operating dry docks and marine ways, repairing and constructing vessels and doing other repair and construction work in connection therewith; and Section 78, providing for the selling, handling, repairing and construction of motorcycles and motor vehicles and motorcycle and motor vehicle accessories, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred the attached

H. C. R. No. 24,

Have had the same under consideration, and we now beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 584, A bill to be entitled "An Act to fix a uniform date on which county and precinct officers shall qualify and take over the duties of their respective offices, following their election, and to repeal any law in conflict,

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Dayton, Chairman. Bailey, Johnston of Harris, Decherd, King, Buchanan of Bell, Page.

Enrolling Committee Reports.

Committee Room.

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 416 and find it correctly enrolled, and have this day at 9:55 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 494 and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room.

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 478 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 489 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 472 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 485 and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Committee Room.

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 98 and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Bee.

S. B. No. 98

An Act providing for salaries of Clerks of the Courts of Civil Appeals, and the payment of costs collected by said clerks into the Treasury of the State of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the compensation of the Clerks of the Courts of Civil Appeals of the various districts of Texas be and the same hereby is fixed at an annual salary of three thousand dollars for each of said clerks, and that the same be paid by the State of Texas, by Comptroller's warrant, as other officers are paid.

Sec. 2. That each of said clerks shall collect and pay into the Treasury of the State all costs to be collected by him, under such laws as now exist, or may be hereafter enacted, under such further rules and regulations as shall be prescribed by the

Comptroller, subject to the approval of the judges of said courts.

Sec. 3. The importance of the subject matter of this bill, the crowded condition of the calendar and the near approach of the end of the session create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and that this Act be in force and effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 241 and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Bailey.

S. B. No. 241.

An Act to amend subdivisions one, two, six and seven of Article 1130, Chapter 2, Title 15, of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Thirty-second Legislature, 1911, relating to the fees allowed sheriffs and constables in all cases when the charge is a felony, and declaring an emergency.

Be it enacted by the Legislature of The State of Texas:

Section 1. That subdivisions one, two, six and seven of Article 1130, Chapter 2, Title 15, of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Thirty-second Legislature, 1911, be so amended that each of said subdivisions shall hereafter read as follows:

"Subdivision 1 (Article 1130). For executing each warrant of arrest or capias, or for making arrest without warrant, when authorized by law, the sum of one dollar; and five cents for each mile actually and necessarily traveled in going to place of arrest, and for conveying the prisoner or prisoners to jail, mileage, as provided for in subdivision 5 (Article 1130) shall be allowed; provided, however, that in counties that have a population of less than forty thousand inhabitants, as shown by the last Federal census, the following fees shall apply: For

executing each warrant of arrest or capias, or for making arrest without warrant, when authorized by law, the sum of three dollars; and fifteen cents for each mile actually and necessarily traveled in going to place of arrest, and for conveying the prisoner or prisoners to jail, mileage, as provided for in subdivision 5 (Article 1130) shall be allowed; and one dollar shall be allowed for the approval of a bond."

"Subdivision 2 (Article 1130). For summoning or attaching each witness, fifty cents; provided, however, that in counties that have a population of less than forty thousand inhabitants, as shown by the last Federal census, the following fees shall apply: For summoning or attaching each witness, fifty cents, and where a bond is required of said witness the sum of one dollar shall be allowed for the approval of said bond."

"Subdivision 6 (Article 1130). For each mile the officer may be compelled to travel in executing criminal process, summoning or attaching witnesses, five cents; provided that in no case shall he be allowed to duplicate his mileage when two or more witnesses are named in the same or different writs in any case and he shall serve process on them in the same vicinity or neighborhood, during the same trip, he shall not charge mileage for serving such witness to and from the county seat, but shall only charge one mileage, and for such additional miles only as are actually and necessarily traveled in summoning or attaching each additional witness. When process is sent by mail to any officer away from the county seat, or returned by mail by such officer, he shall only be allowed to charge mileage for the miles actually traveled by him in executing such process, and the return of the officer shall show the character of the service and miles actually traveled in accordance with this subdivision; and his accounts shall show the facts; provided, however, that in counties that have a population of less than forty thousand inhabitants, as shown by the last Federal census, the following fees shall apply: For each mile the officer may be compelled to travel in executing criminal process, summoning or attaching witnesses, ten cents; provided that in no case shall he be allowed to duplicate his mileage when two or more witnesses are named in the same or different writs in any case,

and he shall serve process on them in the same vicinity or neighborhood, during the same trip, he shall not charge mileage for serving such witness to and from the county seat, but shall only charge one mileage, and for such additional miles only as are actually and necessarily traveled in summoning or attaching each additional witness. When process is sent by mail to any officer away from the county seat, or returned by mail by such officer, he shall only be allowed to charge mileage for the miles actually traveled by him in executing such process, and the return of the officer shall show the character of the service and miles actually traveled in accordance with this subdivision; and his accounts shall show the facts."

"Subdivision 7 (Article 1130). To officers for service of criminal process not otherwise provided for, the sum of five cents a mile going and returning shall be allowed; provided if two or more persons are mentioned in the same or different writs, the rules prescribed in subdivision 6 (Article 1130) shall apply; provided, however, that in counties that have a population of less than forty thousand inhabitants, as shown by the last Federal census, the following fees shall apply: To officers for service of criminal process not otherwise provided for, the sum of ten cents a mile going and returning shall be allowed; provided, if two or more persons are mentioned in the same or different writs, the rule prescribed in subdivision 6 (Article 1130) shall apply."

Sec. 2. The importance of the subject matter of this bill, the crowded condition of the calendar, and the near approach of the end of the session, create an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is so suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

.. Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 432 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. present-

ed same to the Governor for his approval.

SMITH, Chairman.

By Robbins, S. B. No. 432.
Hudspeth, Clark.

An Act to amend Article 6292, Title 106 of the Revised Civil Statutes of the State of Texas for 1911; prescribing the fees that may be charged by the Texas Board of Pharmacy, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6292, Title 106, of the Revised Civil Statutes of the State of Texas for 1911 shall hereafter read as follows: The State Board of Pharmacy shall be entitled to charge and collect the following fees: For the examination of an applicant for license to practice Pharmacy, ten dollars (\$10.00); for the examination of an assistant pharmacist, five dollars (\$5.00); for the renewal of a license one dollar (\$1.00); said fee for the renewal shall be paid on or before the first day of January of each year. For issuing duplicate certificate of renewal cards, one dollar (\$1.00); for issuing license to any proprietor or employe to conduct a drug store in towns of not more than one thousand inhabitants, one dollar (\$1.00); for reciprocal exchanges of certificates with other states, twenty-five dollars (\$25.00); for life member certificates twenty-five dollars (\$25.00).

All fees shall be paid before any applicant shall be admitted to an examination or his or her name to be placed upon the register as a pharmacist, or before the license, duplicate, or renewal, or life membership can be issued.

Sec. 2. The fact that there is at present no adequate provision for the control of fees to be charged by the State Board of Pharmacy for application to be Pharmacists or Assistant Pharmacist, and an imperative public necessity calling for the suspension of the constitutional rule requiring that bills be read on three several days, and this Act take effect from time of its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 397 and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Hudspeth.

S. B. No. 397.

An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine in Brewster County, Texas, to be known as the "Sul Ross Normal College," and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there shall be established at Alpine, in Brewster County, Texas, a normal school to be known as "Sul Ross Normal College," provided, that citizens of Brewster County shall, within sixty days after this Act takes effect, convey or cause to be conveyed to the State of Texas by an immediate and perfect title, a building site, to be located somewhere within three miles of the county court house of said county, which tract of land shall be located and designated by the State Normal School Board of Regents of the State of Texas. No donation or bonus of any kind or character shall be considered by said State Normal School Board of Regents, except such donations of land as may be offered as a site for the buildings or building of said college, and such buildings as may be located on the land donated, and in no event shall a building site of less than one hundred (100) acres be considered or accepted, provided, that if the donation and proposition mentioned herein is not fully complied with by the citizens of Brewster County to the satisfaction of the State Normal School Board shall be open to such other places in the Twenty-fifth Senatorial District as the State Normal School Board of Regents may deem most satisfactory and advantageous to the State.

Sec. 2. It shall be the duty of the Attorney General of the State of Texas to examine and approve all abstracts of title to be furnished by

the owner of any and all real estate that may be donated, either for a site for the buildings of said college or for any other purpose in connection with the establishment of said school, the abstracts of title to the real estate of the building site of said college which may be selected by said State Normal School Board of Regents shall be so examined by the Attorney General and approved by him before any location is finally made; provided, however, that nothing herein shall prevent said State Normal School Board of Regents from selecting a location and announcing same conditioned upon the approval of the title thereto by the Attorney General. After examination and approval of the title to the lands donated for said college, the Attorney General shall cause to be prepared and duly executed proper deed or deeds of conveyance to said lands selected, which deed or deeds shall be held in escrow by the State Treasurer conditioned upon the erection and opening of said college.

Sec. 3. As soon as funds are available under proper appropriations, the State Normal School Board of Regents shall proceed to secure plans and specifications for a building or buildings and equipment of said State Normal College, which building or buildings and equipment shall be sufficient to accommodate at least five hundred pupils, and to let the contract for such building or buildings and equipment to the lowest responsible bidder or bidders; said State Normal School Board of Regents shall meet October 1, 1917, or as soon thereafter as practical for the purpose of receiving said plans and specifications for said building or buildings and equipments to be completed on or before October 1, 1918, on which date the said Sul Ross Normal College shall be opened and ready for the reception of students.

Sec. 4. The control and regulation of said Sul Ross Normal College is hereby vested in the State Normal School Board of Regents under the laws now in force governing said board, or which may hereafter be enacted, and such Board of Regents shall meet as soon as practical after the first day of January, 1918, and make rules and regulations for the organization and maintenance of said college, and to elect such officers and teachers and instructors and em-

ployes as may be necessary for properly carrying out the work of said college.

Sec. 5. It shall be the duty of the State Normal School Board of Regents to elect a president of the Sul Ross Normal College at any time after sixty days after the location of such Normal College shall have been made; provided, that he shall be elected at least six months before the date fixed for the opening of said normal college. and he shall draw his salary from the date of his acceptance of said election.

Sec. 6. The sum of two hundred thousand (\$200,000) dollars is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to be expended in the payment of accounts legally contracted in constructing and equipping the building or buildings of the Sul Ross Normal College; said accounts to be paid upon warrants issued by the Comptroller of Public Accounts after the accounts shall have been audited and approved by the State Normal School Board of Regents, and the sum of forty thousand (\$40,000) dollars is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, for the maintenance of said Sul Ross Normal College for the fiscal year ending August 31, 1919, and for the payment of the president's salary for the year August 31, 1918; and the Legislature shall, after the taking effect of this Act, from time to time after the fiscal year ending August 31, A. D. 1919, make such appropriations for the maintenance and government of said Sul Ross Normal College as may be necessary, which shall be paid out upon vouchers drawn in such manner as may be approved by the laws now in force governing the State Normal School Board of Regents, or which may hereafter be enacted.

Sec. 7. The importance of this measure to the people of this State, and the crowded condition of the calendars of the Legislature create an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read in each house on three several days be suspended, and that this bill be put upon its third reading and final passage, and it is so enacted.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 168 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Smith.

S. B. No. 168.

An Act to authorize fraternal benefit societies to issue certificates to their members in which eleemosynary, religious or educational societies, associations or corporations may be named as beneficiaries, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Fraternal Benefit Societies, heretofore or hereafter incorporated by the State of Texas or licensed to do business therein, shall be authorized to provide in their constitutions, by-laws or fundamental laws for the issuance of benefit certificates to their members, wherein any association, society or corporation, organized and operated for religious, eleemosynary or educational purposes may be named as beneficiary.

Sec. 2. The fact that the regular legislative session will likely last but sixty days, that the calendar is already in a crowded condition, and that it is essential to the welfare of the people of this State that this measure shall at once become effective, creates an emergency and an imperative public necessity, requiring that the constitutional rule which provides that bills shall be read on three several days shall be suspended, and the same is hereby suspended, and this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 1 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

Senate Concurrent Resolution No. 1.

Be it enacted by the Legislature of the State of Texas, the House of Representatives concurring:

Section 1. That a convention to frame a new constitution for the State of Texas shall assemble in the City of Austin at the Capitol on the second Tuesday in January, A. D. 1918, for the purpose of framing a new Constitution.

Sec. 2. The convention herein provided for shall be composed of delegates of the people, to be chosen in the manner hereinafter provided for.

Sec. 3. Such delegates shall be chosen and elected by voters of the State of Texas, qualified to vote, under existing laws, for members of the Legislature. The qualified voters of each Senatorial district, as designated by law at the time of the election hereinafter provided for, shall elect two delegates, and the qualified voters of the State shall elect ten delegates from the State at large.

Sec. 4. An election shall be held on the second Tuesday in November, A. D. 1917, for the election of such delegates. Such election shall be governed and controlled by the laws in force at the time in regard to general elections. At said election each voter in voting for delegates shall also vote: "For a Constitutional Convention," or "Against a Constitutional Convention;" and the vote of each county for and against a Constitutional Convention shall be certified to the Secretary of State, by the county judge of said county; and if, upon count of the vote of the people of the State it be found that a majority have voted for a Constitutional Convention, it shall be the duty of the Governor to issue his proclamation convening the delegates elected to said Convention, in accordance with the provisions of this Concurrent Resolution; provided, however, that if it be found that a majority of the voters at said election have voted "against a Constitutional Convention," then said convention shall not be convened.

Sec. 5. The Governor shall issue his proclamation upon the passage of this Concurrent Resolution, in due time, directing the several officers of this State empowered by law

to conduct, manage and supervise elections, under the laws of Texas, and as now provided by this Concurrent Resolution, to hold said election, and make return of the result of same.

Sec. 6. The Constitution framed by said Convention shall be submitted to a vote of the qualified voters of the State of Texas, for their adoption or rejection, by a majority of the vote cast upon that question, at the general State election to be held in November, 1918.

Sec. 7. The Convention when assembled shall not in said new Constitution abridge or change the homestead provision of our present Constitution, but that the homestead provision in said new Constitution shall remain as it is in our present Constitution.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 423 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Bee:

S. B. No. 423.

An Act to restore and confer upon the County Court of Kerr County the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the County Court of Kerr County shall hereafter have exclusive original jurisdiction in civil cases where the matter in controversy shall exceed in value two hundred dollars and shall not exceed five hundred dollars, exclusive of interest, and that it shall have concurrent jurisdiction with the district court of said county when the matter in con-

troverſy ſhall exceed five hundred dollars and not exceed one thouſand dollars.

Sec. 2. Said county court ſhall have appellate jurisdiction in civil caſes over which juſtices' courts of ſaid county have original jurisdiction when the judgment of the court appealed from or the amount in controverſy ſhall exceed twenty dollars, excluſive of intereſt, and ſaid county court ſhall have the power to hear and determine caſes brought up from the juſtices' courts by certiorari under the proviſions of law relating thereto.

Sec. 3. The county judge of ſaid county ſhall have authority either in term time or in vacation, to grant writs of mandamus, injunction, ſequeſtration, garniſhment, attachment, certiorari, ſupersedeas, and all other writs neceſſary to the enforcement of the jurisdiction of ſaid court, and ſhall alſo have power to iſſue writs of habeas corpus in all caſes in which the Conſtitution and laws have not excluſively conferred the power on the diſtrict judge or diſtrict court thereof.

Sec. 4. Said court ſhall have, as now, the general jurisdiction of a probate court; ſhall probate wills, appoint guardians of minors, idiots, lunatics, and common drunkards, grant letters teſtamentary and of adminiſtration; ſettle accounts of executors, adminiſtrators and guardians; tranſact all buſineſs pertaining to the eſtates of deceased perſons, minors, idiots, lunatics, perſons non compos mentis, and common drunkards, including the partition, ſettlement, and diſtribution of eſtates of deceased perſons; apprentice minors as provided by law; and to iſſue all writs neceſſary to the enforcement of its jurisdiction, orders, and decrees; and generally to exerciſe all the powers in probate matters conferred upon ſuch courts by the Conſtitution and laws of the State.

Sec. 5. Such court ſhall have jurisdiction in the forfeiture of all bonds and recognizances taken in criminal caſes of which ſaid court has original or appellate jurisdiction.

Sec. 6. Said court ſhall have and exerciſe excluſive jurisdiction of all miſdemeanors, except miſdemeanors involving official miſconduct, and except miſdemeanors in which the hiſheſt penalty that may be impoſed

by law is a fine, without imprisonment, that does not exceed two hundred dollars; and ſaid court ſhall have appellate jurisdiction of criminal caſes in which juſtices' courts and other inferior tribunals of ſaid county have original jurisdiction.

Sec. 7. The diſtrict court of ſaid county ſhall no longer have jurisdiction of miſdemeanors, except miſdemeanors involving official miſconduct, and ſhall no longer have jurisdiction of civil caſes of which the county court of ſaid county, by the proviſions of this Act, has original or appellate jurisdiction.

Sec. 8. It ſhall be the duty of the diſtrict clerk of ſaid county, within thirty days after this Act ſhall take effect, to make full and complete tranſcript of orders on the criminal and civil dockets then pending before the diſtrict court of ſaid county, of which caſes, by proviſions of this Act, original and appellate jurisdiction is given to ſaid county court, and to file ſaid tranſcript together with the original papers in each caſe, in the county court of ſaid county, and the county clerk ſhall enter ſaid caſes on the reſpective dockets of ſaid county court as appearance caſes for trial by ſaid court.

Sec. 9. The ſaid court ſhall alſo have the power to hear and determine all motions againſt ſheriffs and other officers of the court for failure to pay over moneys collected under the proceſs of ſaid court, or other defaultations of official duty in connection with ſaid proceſs, and ſhall have power to puniſh by fine not exceeding one hundred dollars, and by imprisonment in the county jail not exceeding three days, any perſon guilty of contempt of ſaid court, and all other powers and jurisdictions conferred on county courts by the Conſtitution and General Laws of the State of Texas.

Sec. 10. The terms of ſaid court ſhall commence on the firſt Monday in February, and on the firſt Monday in May, and on the firſt Monday in Auguſt, and on the firſt Monday in November in each year, and ſhall continue in ſeſſion for three weeks at each term, or until the buſineſs may be diſpoſed of; provided, that the county commiſſioners court of ſaid county may hereafter change the terms of ſaid court whenever it may be deemed neceſſary.

Sec. 11. All laws and parts of laws in conflict with this Act are hereby expressly repealed insofar as they relate to Kerr County, Texas.

Sec. 12. The importance of the passage of this measure to the people of Kerr County, Texas, creates an imperative public necessity that the constitutional rule requiring that bills be read on three several days in each house be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 467 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented the same to the Governor for his approval.
SMITH, Chairman.

By Hudspeth. S. B. No. No. 467.

An Act to appropriate out of the general revenue not heretofore appropriated the sum of twenty-one thousand eight hundred thirty-two and eighty hundredths dollars (\$21,832.80) or so much thereof as may be necessary to defray the expenses of the Live Stock Sanitary Commission of Texas, in carrying out the provisions of committee substitute for Senate Bill No. 108, providing for the tick and sheep scab eradication for the fiscal year ending August 31, 1917, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of twenty-one thousand eight hundred thirty-two and eighty hundredths dollars (\$21,832.80) be, and the same is hereby, appropriated out of the general revenue fund, not otherwise appropriated, to be used for additional maintenance and support of the Live Stock Sanitary Commission for the fiscal year ending August 31, 1917, as follows:

Salaries of 32 additional inspectors five months at \$83.33 per month..... \$13,332.80
Expenses of 20 additional inspectors five months at

\$50.00 per month.....	5,000.00
Expenses of 12 additional inspectors five months at \$25.00 per month.....	1,500.00
Office expenses: Rent, stationery, stamps, telegraph bills, and other necessary expenses	2,000.00
Total	\$21,832.80

Sec. 2. The fact that there are not sufficient funds available for the Live Stock Sanitary Commission of Texas in the provisions of Senate Bill No. 108 providing for the tick and sheep scab eradication, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 195 and find it correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for his approval.
SMITH, Chairman.

By Hall. S. B. No. 195.

"An Act to authorize the creation of corporations in this State under the Corporation Laws for the purpose of building, constructing and repairing boats, ships, and vessels for the navigation of rivers, lakes, streams, oceans and seas, with power to build, construct, maintain and operate such dry docks, marine railways and other appurtenances as may be necessary for the accomplishment of such purpose, and declaring an emergency, therefor."

Be it enacted by the Legislature of the State of Texas:

Section 1. Private corporations may be created, under the general corporation laws of this State, by the voluntary association of three or more persons, for the purpose of building, constructing and repairing boats, ships and vessels for use in and for the navigation of rivers, lakes, streams and seas, with power to build, con-

struct, maintain and operate such docks, dry docks, marine railways, wharves and other appurtenances as may be necessary for the accomplishment of such purpose.

Sec. 2. The fact that the general corporation laws of this State do not permit of the creation of the corporations for the purpose of constructing boats, ships and vessels, and the repair of same, and the fact that there is now an immediate necessity for the repair and construction of many vessels of all types, to care for the trade and commerce of this country, and the fact that the calendar is crowded and the end of this session of the Legislature is near, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read upon three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

FIFTY-SIXTH DAY.

Senate Chamber.

Austin, Texas,

Tuesday, March 20, 1917.

The Senate met at 5:40 o'clock p. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Johnston of Harris.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

Absent.

Alderdice.	Floyd.
Decherd.	Gibson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dis-

pensed with on motion of Senator Hudspeth.

Message From the House.

Hall of the House of Representatives.
Austin, Texas, March 20, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Senate Concurrent Resolution No. 28, suspending a part of Joint Rule No. 11.

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

(Senator Page in the Chair.)

House Bill No. 227.

The Chair was in the act of laying before the Senate on third reading House Bill No. 227, and Senator King made the point of order that under the terms of the Constitution of this State a bill must be read on three several days, and that this bill having been read and passed to its third reading on this day, Tuesday, March 20, it cannot be considered again and passed finally today, March 20, unless the constitutional rule is suspended by a vote of two-thirds of the members of the Senate present.

The Chair overruled the point of order.

Senator Dean made the point of order that the morning call had not been concluded and that no bill could be considered during the morning call except on House bill days.

Senator Hudspeth moved that the morning call be dispensed with and the motion prevailed.

The Chair laid before the Senate on third reading:

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature relating to exemptions from the operation of what is known as the 'Anti-Pass Law,' so as to include among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually